

BEFORE THE
DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

CAROL R. D. VARNER, M.D.
13962 Proctor Valley Road
Jamul, California 92035

Certificate No. C-014957

No. D-3336

OAH No. N-24850

DECISION

The attached Proposed Decision of the Administrative Law
Judge is hereby adopted by the Division of Medical Quality
_____ as its Decision in the
above-entitled matter.

This Decision shall become effective on April 1, 1986.

IT IS SO ORDERED March 3, 1986.



MILLER MEDEARIS
Secretary-Treasurer

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DEPARTMENT OF CONSUMER AFFAIRS
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In the Matter of the Accusation Against:)	
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CAROL R. D. VARNER, M.D.)	No. D-3336
13962 Proctor Valley Road)	
Jamul, California 92035)	OAH No. N-24850
)	
Certificate No. C-014957)	
)	
Respondent.)	
_____)	

PROPOSED DECISION

The matter came on for hearing before Keith A. Levy, Administrative Law Judge, Office of Administrative Hearings, on September 17, 1985, in Sacramento, California.

June LaVerne Long, Deputy Attorney General, represented the complainant.

David W. Manley, Attorney at Law, represented the respondent.

Evidence was received and the hearing was held open for additional information, which having been duly received, the record was closed on October 7, 1985.

The Administrative Law Judge certifies this decision and recommends its adoption.

FINDINGS OF FACT

I

Complainant, Kenneth Wagstaff, the Executive Director of the Board of Medical Quality Assurance, made and filed the Accusation solely in his official capacity.

II

On July 13, 1953, respondent was issued physician and surgeon certificate number C-014957. The certificate is in current status at the present time.

III

The respondent graduated from Ohio State University in June 1950. She practiced medicine in Columbus, Ohio, following her graduation until 1961, except from September 1953 to September 1954 when she was the Medical Director for the Charity Clinic in East Los Angeles, California. She was issued a license to practice medicine in the State of Michigan in October 1965. She practiced in Okemos, Michigan, near Lansing, until her license was suspended in April 1982. She was certified as a Family Practice Specialist in October 1980.

IV

The respondent's license was summarily suspended on April 14, 1982 as a result of alleged negligence and incompetence as a result of her failure to respond to a patient with diabetic ketoacidosis. On April 22, 1982, respondent's license was suspended for one year with an additional three years probation during which time she was prohibited from practicing obstetrical medicine. This decision was the result of her departure from or failure to conform to minimal standards of acceptable and prevailing medical practices and incompetence in the treatment of several patients from April 1975 through January 1979. Her Michigan license was revoked on September 11, 1982 as a result of excessive prescribing and failing to document and maintain medical records documenting the prescribing of controlled substances regarding numerous patients from 1978 through 1980. Respondent's Michigan license was again revoked November 12, 1983 to commence upon termination of the revocation of respondent's medical license ordered September 11, 1982. This was the result of an incident regarding one patient that expired from diabetic ketoacidosis. Respondent was found to be incompetent for failure to take complete medical history, for failure to take an adequate physical examination and for failure to hospitalize the patient.

V

Respondent came to California in January 1984 and worked for a physician taking care of minor medical problems until November 1984. She did not work again until March 1985, at which time she worked part-time with a nurse practitioner doing gynecological and employment exams as well as premarital blood testing. On May 15, 1985, with the help of an inheritance she received, she opened her own practice in Lemon Grove, California. She did locum tenens for Dr. George B. Brassington in April 1985, who indicated by letter that she did an acceptable job.

VI

There is no significant evidence of rehabilitation or factors that would mitigate against the serious nature of the convictions in the State of Michigan. Due to the convictions in the State of Michigan, it would not be in the public's interest to allow respondent to continue practicing medicine in the State of California.


DETERMINATION OF ISSUES

Respondent's California license is subject to disciplinary action based on the above findings inasmuch as her Michigan medical certificate was revoked, pursuant to §2305 of the Business and Professions Code.

ORDER

The medical certificate, number C-014957, issued to Carol R. D. Varner, M.D., is revoked.

Dated: October 29, 1985


KEITH A. LEVY
Administrative Law Judge
Office of Administrative Hearings

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of the State of California

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Deputy Attorney General

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5 Attorneys for Complainant

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DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
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STATE OF CALIFORNIA

11 In the Matter of the Accusation) No. D-3336
12 Against:)

13 CAROL R. D. VARNER, M.D.) ACCUSATION
14 13962 Proctor Valley Road)
Jamul, California 92035)

15 Certificate No. C-014957)

16 Respondent.)

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18 Complainant, Kenneth Wagstaff, alleges:

19 1. Complainant is the Executive Director of the Board
20 of Medical Quality Assurance and makes this accusation solely in
21 such official capacity.

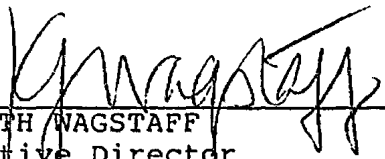
22 2. On July 13, 1953, respondent was issued physician
23 and surgeon certificate number C-014957. Said certificate is
24 in current status at the present time.

25 3. Respondent's California license is subject to dis-
26 ciplinary action pursuant to Business and Professions Code
27 section 2305, in that in or about November 1983, respondent's
Michigan medical certificate was revoked for gross negligence,

1 incompetence, and excessive prescribing of drugs.

2 WHEREFORE, complainant prays that a hearing be held on
3 the matters alleged herein and following such hearing a decision
4 issue revoking or suspending the license of respondent or taking
5 such other action as it deems proper.

6 DATED: April 8, 1985

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8 KENNETH WAGSTAFF
9 Executive Director
10 Board of Medical Quality Assurance
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